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October 25, 2023

via email: susan.you@mass.gov

MassDEP Waterways Regulation Program

Attn: Susan You
100 Cambridge Street, 9th Floor
Boston, MA 02114

Re: 244-284 A Street Chapter 91 Consolidated Written Determination

Dear Ms. You,

Boston Harbor Now respectfully submits the following comments on the 244-284 A Street Consolidated Written Determination Waterways License Application submitted by Related Beal. Our organization has followed this project since its inception and most recently attended the October 2nd Chapter 91 Remote Public Hearing and Remote Information Session held by the MassDEP Waterways Regulation Program. We previously hosted the proponent at a Harbor Use Public Forum in November 2020 and have submitted written comments on the Massachusetts Environmental Policy Act (MEPA) process and the Boston Planning and Development Agency (BPDA) Article 80 Process.

As longtime stewards of the Boston Harborwalk, Boston Harbor Now is committed to ensuring that the waterfront we build today is designed for a more resilient and inclusive future. We use the term “Harborwalk 2.0” to capture the aspirations of this work to ensure that waterfront developments are accessible and welcoming; are prepared for the coastal impacts of climate change; and center equity and inclusion in the development of its design, construction, and programming. An accessible waterfront should have both linear and lateral connections between the city and the water, as well as numerous activation strategies to serve all Bostonians. A resilient waterfront includes a variety of climate adaptation strategies to protect and serve Boston at a district scale. To center equity in waterfront design is to focus on strategies that make the waterfront feel safe and inclusive through lighting, signage (preferably multi-lingual), full ADA accommodations, and the elimination of features that make users feel unwelcome or excluded.

Resilience

As mentioned in previous written comments for this project, 244-284 A Street is located along an extended flood pathway, one of the most at risk in



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South Boston. In addition to experiencing nuisance flooding during astronomical high tides today, this site is expected to flood even more severely during the projected 2030 10-percent annual coastal storm if coastal adaptation infrastructure is not built in time. The proponent's submission has divided the site into two different units: the East Development Area, which includes Building G6 and the Necco Street Park, and the West Development Area, which includes Buildings G4 and G5, the Fort Point Channel Park and Waterfront Open Space, and will phase them consecutively. The development sequence will "depend upon market considerations, national and local economic conditions, construction logistics, and other factors." Letting the market determine the phasing of the construction leaves the site, the Harborwalk, and potentially the broader neighborhood vulnerable to flooding. Resilience infrastructure should be part of the initial construction phase of the project, and no buildings should be completed and occupied without this elevated line of defense in place. The creation of a berm across the site and its connections to adjacent projects is essential to protect the new buildings and the existing neighborhood fabric and address anticipated district-scale flooding.

We continue to commend the proponent for their overall flood resilience plan, which includes the elevation of the Harborwalk above of the projected 2070 high tide, the gradual raising of the site from A Street to meet the berm at 21.5' BCB, and dedication to ensuring a continuous line of flood protection by tying into the flood infrastructure of adjacent projects. These elements will help ensure that the Harborwalk remains usable in anticipated high tide and storm surge conditions, creates an accessible line of travel to the water, and contributes to district-wide flood protection for the next 50 years. The proponent, however, has requested an 85-year license, which extends beyond the functional life of the flood infrastructure. To merit an extended license, the proponent's flood resilience design should include a plan for further adaptation to enable additional elevation should it be needed in the future.

Creating a Welcoming Public Realm

As a part of our vision for Harborwalk 2.0, we expect to see welcoming waterfronts that feel public as part of the Massachusetts Public Waterfront Act and increasing demand that these privately owned public spaces address historic marginalization and inequality. We appreciate the proponent's efforts to create an inclusive space with significant commitments, like conveying Necco Street and Fort Point Channel Park to the City of Boston Parks and Recreation Department (BPRD), to smaller details, like committing to signage denoting open access to the public. Based on the renderings shared, we are also pleased to see clear delineations of public



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space, like the changes in pavement materials between cafe seating, parks, and Harborwalk, which can help to clarify boundaries between commercial establishments and public walkways. We hope the attention to details like this are incorporated into the site's final design.

As designs are finalized, we hope to see a greater celebration of the waterfront and a refinement to the path along the edge of the Fort Point Channel. Visitors should easily be able to find the waterfront from A Street and the surrounding neighborhood and, once they reach the water's edge, they should feel as though they have arrived at a destination. Although the elevated berm section will block direct views of the channel, paths running throughout the site that lead to the waterfront should be inviting and offer long enough site lines to encourage continued exploration. The direct pathway from the plaza abutting A Street and the Wormwood extension to the amphitheater is likely the best path to draw people to the waterfront. This path should act as a desired path of travel to the amphitheater, which serves as a visual entrance to the Harborwalk. It should have no curves or competing uses that would break the line of sight or distract users from walking straight to the amphitheater and down to the water. This path and others should include wayfinding signage directing visitors to the Harborwalk since it will not be easily visible from A Street.

Once at the channel, visitors should feel that they are somewhere special and not merely on a residual boardwalk at the boundary of the site. The eastern side of the Fort Point Channel provides an uninterrupted half-mile path from Summer Street to Dorchester Avenue, unlike other parts of the Boston waterfront where wharves often make the Harborwalk circuitous. This project contributes to making Fort Point's unique and significant Harborwalk feel like a special destination. We recommend that this project and other adjacent projects along the channel adopt a universally agreed-upon design standard and material palette that can be used across property boundaries to create a cohesive and connected experience, thereby building a waterfront experience that is greater than the sum of its parts.

Support for Art and Programs

As a part of the proponent's commitment to supporting art in the community, they have agreed to an extensive list of contributions. The proponent has committed to contribute \$3,700,000 to implement a comprehensive public art program with public art on site; \$500,000 over ten years for youth environmental, STEM, and STEAM educational programs and programming free events; and \$10,000 per year for the term of the license to the Fort Point Channel Operation Board. We applaud the



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proponent for their commitment to supporting the community and their creativity in this manner.

In addition to financial contributions, the proponent has the opportunity to design and build physical infrastructure, including performance space, that serves as a meaningful and useful platform for the arts program envisioned by professional artists in the community. As currently presented, the amphitheater, one of this site's marquee pieces, feels unrefined and is not in alignment with the standards agreed to in the BPDA Board memo. The latest designs shown do not appear to accommodate the number of audience members specified or include the elevated stage that would support the professional productions desired. We urge the proponent to incorporate the community's proposed specifications or hire a theater design consultant to ensure that the amphitheater can meet its future operator's needs with a raised performance platform, an increased number of rows, the conversion of grass to a more durable material, and other alterations. Without these improvements, the viability of the amphitheater will be limited. Similarly, we continue to believe the proponent will need to increase the number of public toilets to accommodate the crowds expected to attend performances. These public restrooms should be available to the public not only "during hours coincident to those of the other FPA services within their respective buildings" but also during evening performances, if not 24/7.

We also have concerns about the design of the boat and art launch and the storage proposed for dragon boats. Although the proponent has included storage space for boats in the garage, this plan requires complex logistics to get the boats in and out of the parking garage on a regular basis. Once out of the garage, the proponent has stated they will provide an 18-foot-wide path through the site to the watersheet as a means to move large objects, including the dragon boats and floating art. Though the precise storage location has yet to be determined, we want to ensure that the garage egress aligns with the 18-foot-wide path and storage within the garage is close to said egress, as elevators may be infeasible for maneuvering long boats and large works of art. Community members who participate in dragon boat teams as well as those who have made and launched floating art have advocated for a ramp to launch their boats and art into the channel, though their design slope has been deemed infeasible by the proponent. We hope the proponent will continue to engage with both advocacy groups to devise an alternative solution and feel that it can be prioritized over the installation of a proposed small floating dock that would be duplicative of the amenities already provided at 15 Necco.



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FPA Spaces

The final uses of the facilities of public accommodation have yet to be fully defined at this stage of the process; however, the proponent has stated that the chosen FPA spaces will contain “FPAs beyond just retail space, such as restaurants, lobbies with public amenities, civic spaces, and cultural and educational spaces.” Although they have not been selected, the proponent has outlined some guiding principles, including “encouraging restaurants from a variety of price points” and “providing year-round public spaces with options that do not require payment for participation,” which we highly applaud as an equalizing force that helps create more accessible spaces. Further supporting equity is the proponent’s commitment to 5,000 sf of ground floor retail space to be discounted by 50% of market rent to City- or State-certified small disadvantaged businesses. We hope these financial contributions can sustain one or more minority or woman owned businesses (M/WBE) on-site and encourage more diverse waterfront visitation.

The configuration of the ground floor remains similarly undefined, though the proponent’s stated intent is for retail spaces to come in a “variety of sizes, configurations, and locations within the three buildings on the Project Site and will be offered at varying lease terms depending on the business owners’ operations.” Key to deciding where specific uses are placed on the ground floor are the needs of the proposed Civic and Cultural Space, which will be decided through an RFI/RFP process that has, to date, been circulated to over 100 organizations. The selected recipient(s) will dictate their space needs and receive \$750,000 to build out their space. We applaud the scope of the proponent’s RFI/RFP process to date. Their intentional community engagement around it and financial contribution to the build-out will, we hope, result in a tenant that will bring new audiences to the Fort Point Channel. We are excited to see the results of the RFP/RFI and hope the proponent will share any lessons learned and potential respondents with other developers hoping to use a similar RFI/RFP model to select civic/cultural tenants in the future.

An early phase of design for this project proposed a public library at this location, and we hope to see that commitment to high quality civic uses along A Street carried into the final implementation of this project. As the proponent selects tenants to occupy these FPA spaces, we hope they locate free public amenities and spaces in intuitive and easy-to-find locations. As a best practice, we further suggest the proponent provide signage that identifies that the space is public along with the hours of operation and how to reserve the space if necessary.



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Continued Public Process

The proponent's request for a consolidated written determination consists of eight individual licenses: the parking garage, the Floating Dock and Overlook area, the Waterfront Open Space, Necco Street Park, Fort Point Channel Park, Building G4, Building G5, and Building G6. We are concerned about the number of licenses requested because some of the community benefits may not be realized if individually licensed projects are not built simultaneously. Though we understand the anticipated ownership changes and variable license lengths have necessitated this subdividing into multiple individual licenses, we request that for further regulatory review and construction permitting, each open space license be paired with building licenses to ensure that the parks open spaces are constructed in conjunction with the buildings. For example, we would like to see the Waterfront Open Space built ahead of or in conjunction with Building G5, Fort Point Channel Park ahead of or in conjunction with Building G4, and Necco Street Park ahead of or in conjunction with Building G6. The market can be unpredictable, and we want assurance that outdoor public amenities will come online concurrent with each building being completed. As noted above, we wish to reiterate the need to prioritize flood resilience infrastructure in the phasing and strongly support the build-out of the West Development Area first.

Through this process, the proponent has provided a very high-level summary of the entire 6.46-acre project but few concrete details of each individual license. The FPA uses are yet to be decided, clarity around watershed access and docks are still up in the air, and the amphitheater design requires further refinement. With the consolidated written determination, the agency has implied that the project may move forward with only an internal review of individual buildings and future management plans. Given the lack of details provided at this phase and the efforts of the surrounding community to remain involved in the process, each building license and requirements for the adjacent public space should involve a publicly noticed meeting sent to all previous participants and a four-week comment period. The initial management plan should also follow a similar notification and public process.

244-284 A Street has the potential to realize a wide range of public benefits, including support for arts and programming along the channel, contributions to district-wide flood protection, and new open space that will be turned over to the city. We are impressed by many of these commitments but still have lingering questions about the details of the FPAs, amphitheater design, and more. We hope to see this project connect people to the waterfront and serve as a destination for the community and



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the wider city. To do this, open space construction should be prioritized, and paths leading to and along the water should be clear and have a strong character. This development will set a precedent for other projects moving south along the Fort Point Channel as well as the continuation of a chain of parks moving eastward from the Channel. It is important that we establish best practices for phasing resilience infrastructure and design character now so that other projects may follow suit.

Thank you for your consideration of these comments. We look forward to remaining engaged with this project through any additional Chapter 91 licensing and management plans, and we welcome further conversations about this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Katherine F. Abbott".

Katherine F. Abbott
President and CEO
Boston Harbor Now